GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Department for WCDA& SC – Implementation of the Rights of Persons with Disabilities Act, 2016 - Non discrimination in employment against an employee who acquires disability during his or her service in Government Establishments – Orders –Issued.

DEPARTMENT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND SENIOR CITIZENS (PROG-II)

G.O.Ms.No.26 Dated:11.05.2023

Read the following:-

1. The Rights of Persons with Disabilities Act, 2016.
2. Andhra Pradesh Rights of Persons with Disabilities Rules, 2023.
3. Recommendations of the Committee on Horizontal Reservation.

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ORDER :-

The Government of India vide reference 1st read above, have enacted the Rights of Persons with Disabilities Act, 2016 and the Act came into force w.e.f. 19-04-2017;

2. And whereas vide G.O. 2nd read above, the Andhra Pradesh Rights of Persons with Disabilities Rules, 2023 have been notified;

3. And whereas the Committee on Horizontal Reservation recommended to follow the provisions of section 20 (4) of the Rights of Persons with Disabilities Act, 2016;

4. Now, therefore in exercise of powers conferred under section 20 (4) of the Rights of Persons with Disabilities Act, 2016, Government of Andhra Pradesh hereby order that:

5. No Government establishment shall dispense with or reduce in rank, an employee who acquires a disability during his or her service.

6. Provided that, if an employee after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits.

(P.T.O)

7. Provided further that, if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

8. In case the Person with Disability for whom the supernumerary post was created is eligible for next promotion to higher pay level, and it is not possible to adjust the employee against any post, a fresh creation of supernumerary post in next higher level will be required by surrendering the previously created supernumerary post at the lower level. The creation of any supernumerary post in this regard, by the Administrative Department shall be done with the concurrence of the Finance Department.

9. The Special Chief Secretaries / Principal Secretaries / Secretaries / District Collectors / Heads of the Departments shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUDDADA RAVI CHANDRA
PRINCIPAL SECRETARY TO GOVERNMENT

To:
All the Departments of Secretariat.
All the Heads of the Departments.
All the Collectors & District Magistrates in the State.
The Commissioner, Information & Public Relations, A.P., Vijayawada with a request to give wide publicity.

Copy to :

The Director, WDA, TG&SC ,A.P., Vijayawada.
The P.S to Principal Secretary to CM.
The PS to Minister, WCDA&SC.
The PS to Chief Secretary to Govt., of A.P.
The PS to the Principal Secretary to Government, WCDA & SC.
SC/SF.

//FORWARDED :: BY ORDER//

SECTION OFFICER